

Claims 1, 2, 4, 5, 7 and 13-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Taubenheim et al.* (US 6,060,997); claims 3 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Taubenheim et al.* in view of *DeLuca et al.* (US 5,870,030); and claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Taubenheim et al.* in view of *Yeh et al.* (US 6,208,717)

Applicant has amended independent claims 1, 5, 14, 16, 19, and 21 to recite “generating a capcode,” which cannot be satisfied by the applied references of *Taubenheim et al.*, *DeLuca et al.*, or *Yeh et al.*, either individually or in combination. Therefore, the rejections under § 102(e) and § 103(a) are unsustainable.

As noted in Applicant’s previous response, *Taubenheim et al.* discloses utilizing a paging unit’s existing physical address for effectuating advertisement delivery (col. 2:34-41). However, this use of a physical address for effectuating advertisement delivery is not disclosed to involve use of a capcode. The Advisory Action asserts that the *Taubenheim et al.* system utilizes capcodes, citing col. 4, lines 32-45. This cited passage states that FIG. 6 shows that advertisements can also be part of the information content or stream. The interval between topics, if any, can be filled with different advertisements as shown. The passage further disclosing that it is also possible to relax the load which the streaming information placed on the selective call system by updating an advertisement memory or register in the selective call device 130. Specifically, FIG. 6 calls reference to the company or entity that is promoting the information service, e.g., “This Sports update is brought to you by Motorola. ” This information is preferably stored in a register of the selective call device 130.

Col. 4, lines 32-45 provides no mention of capcodes, much less "generating capcodes," as required by independent claims 1, 5, 14, 16, 19, and 21. The other applied references of *DeLuca et al.*, and *Yeh et al.* do not satisfy this deficiency.

Accordingly, independent claims 1, 5, 14, 16, 19, and 21 should be in condition for allowance. Further, claims 2-4, 6, 7, 15, 17, 20, and 22, depending correspondingly to independent claims 1, 5, 14, 16, 19, and 21, are allowable for at least the reasons proffered for the allowability of these independent claims.

Therefore, the present response overcomes the rejections of record, placing the present application in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at 703-425-8501 so that such issues may be resolved as expeditiously as possible.

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAYONG & CARLSON, P.C.

9/11/02
Date

David J. O'Neill Reg. No. 42,953 for
Phouphanomketh Ditthavong
Attorney/Agent for Applicant(s)
Reg. No. 44658

10507 Braddock Road
Suite A
Fairfax, VA 22032
Tel. (703) 425-8508
Fax. (703) 425-8518

APPENDIX

1. (Three Times Amended) A method [for targeted marketing] of messaging, comprising:
 - generating [an identification number] a capcode associated with at least one paging service subscriber; and
 - attaching an advertisement script to a [page] message for the paging service subscriber [having the identification number] associated with the capcode [, wherein the step of generating the identification number comprises generating a capcode].
2. (Twice Amended) The method of Claim 1, further comprising:
 - storing the generated [identification number] capcode in a central database;
 - programming a paging unit of the paging service subscriber [with the identification number] associated with the capcode;
 - correlating the [identification number] capcode stored in the central database with the [identification number] capcode programmed into the paging unit; and
 - transmitting the advertisement script and the message to the paging unit [programmed with the identification number] based upon the correlation.
5. (Three Times Amended) A method [for attaching advertisements to messages received by] of providing messaging services to paging units, comprising:
 - generating [an identification number] a capcode associated with at least one paging service subscriber [and storing] , wherein the generated [identification number] capcode is stored in a central database;

programming a paging unit of the paging service subscriber with the [identification number] capcode;

attaching an advertisement script to a [page] message for the paging service subscriber [having the identification number] associated with the programmed capcode [programmed into the paging unit]; and

transmitting the advertisement script and the message to the paging unit [identification number,

wherein the step of generating the identification number comprises generating a capcode].

14. (Twice Amended) A method [for targeted marketing] of messaging, comprising: generating [an identification number] a capcode associated with at least one paging service subscriber, wherein the capcode is among a plurality of capcodes corresponding to a plurality of paging service subscriber types; and

attaching an advertisement script to a [page] message for the paging service subscriber [having the identification number] associated with the capcode [,

wherein the step of generating the identification number associated with at least one paging service subscriber comprises generating a plurality of capcodes corresponding to a plurality of paging service subscriber types].

15. (Amended) The method of Claim 14, wherein the [step of generating the plurality of capcodes comprises generating the plurality of capcodes corresponding to a] plurality of paging service subscriber types [including] includes at least one of residential paging service

subscribers, business paging service subscribers, small business paging service subscribers, and large business paging service subscribers.

16. (Twice Amended) A method [for targeted marketing] of messaging, comprising:
generating [an identification number] a capcode among a plurality of capcodes associated with at least one paging service subscriber; and
attaching an advertisement script to a page message for the paging service subscriber having the [identification number] capcode [,
wherein the step of generating the identification number associated with at least one paging service subscriber comprises generating a plurality of capcodes associated with at least one paging service subscriber].

17. (Amended) The method of Claim 16, wherein [the step of generating the plurality of capcodes comprises generating] the plurality of capcodes [corresponding] corresponds to at least one of a number of advertisement scripts to be attached and a number of times a day the paging service subscriber receives an advertisement script.

19. (Twice Amended) A method for [attaching advertisements to] supporting [messages received by] messaging to paging units, comprising:
generating [an identification number] a capcode associated with at least one paging service subscriber [and storing] , wherein the generated [identification number] capcode is stored in a central database, the capcode corresponding to a paging service subscriber type; and

programming a paging unit of the paging service subscriber with the [identification number] capcode, [;

attaching] wherein an advertisement script [to] is transmitted with a [page] message for the paging service subscriber having the [identification number] programmed capcode [programmed into the paging unit; and

transmitting the advertisement script and the message to the paging unit having the identification number,

wherein the step of generating the identification number associated with at least one paging service subscriber comprises generating a plurality of capcodes corresponding to a plurality of paging service subscriber types].

20. (Amended) The method of Claim 19, wherein the [step of generating the plurality of capcodes comprises generating the plurality of capcodes corresponding to a plurality of] paging service subscriber [types including] type includes at least one of residential paging service subscribers, business paging service subscribers, small business paging service subscribers, and large business paging service subscribers.

21. (Twice Amended) A method for [attaching advertisements to] supporting [messages received by] messaging to paging units, comprising:

generating [an identification number] a capcode among a plurality of capcodes associated with at least one paging service subscriber [and storing] wherein the generated [identification number] capcode is stored in a central database;

programming a paging unit of the paging service subscriber with the [identification number] capcode, [;

attaching] wherein an advertisement script [to] is transmitted with a [page] message for the paging service subscriber having the [identification number] programmed capcode [programmed into the paging unit; and

transmitting the advertisement script and the message to the paging unit having the identification number,

wherein the step of generating the identification number associated with at least one paging service subscriber comprises generating a plurality of capcodes associated with at least one paging service subscriber].

22. (Amended) The method of Claim 21, wherein [the step of generating the plurality of capcodes comprises generating] the plurality of capcodes [corresponding] corresponds to at least one of a number of advertisement scripts to be attached and a number of times a day the subscriber receives an advertisement script.